

IN THE IOWA DISTRICT COURT IN AND FOR DUBUQUE COUNTY

IOWA CIVIL RIGHTS COMMISSION, Plaintiff, vs. DUBUQUE AERIE #568 OF THE FRATERNAL ORDER OF EAGLES, a/k/a DUBUQUE FRATERNAL ORDER OF EAGLES NO. 568, a/k/a DUBUQUE ASSOCIATION NO. 568 OF THE FRATERNAL ORDER OF EAGLES. Defendant.	Case No. 01311 CVCV 109534 JUDGMENT
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This matter came before the court for trial on January 16, 2020. Attorney Katie Fiala appeared personally for the Iowa Civil Rights Commission. Attorney Robert Sabers appeared personally for Michael Fishnick and Patricia Kelly. (Attorney Sabers has never filed an appearance in this matter. He did not speak or participate in the trial.) Attorney Allan Richards appeared personally for the Dubuque Aerie #568 of the Fraternal Order of Eagles. A formal record was made, and the court received brief testimony from Thomas Steuer on behalf of the Dubuque Aerie #568.

In Dubuque County case CVCV106156, Defendant was found to have illegally discriminated against Michael Fishnick and Patricia Kelly during their employment with the local Eagles Club. The agency finding was confirmed by the District Court on February 19, 2018. Defendant appealed that decision, and the Court of Appeals affirmed on May 7, 2019. The matter was remanded for the sole purpose of determining reasonable attorney fees, including appellate attorney fees, to be awarded to Attorney Robert Sabers on behalf of Fishnick and Kelly. After hearing, the District Court awarded fees in the total amount of \$38,210.25.

On July 23, 2019, the Iowa Civil Rights Commission filed a petition herein, seeking to enforce the previous order by way of judgment entry. Defendant filed an answer essentially re-asserting that no discrimination had occurred.

Pursuant to Iowa Code §216.17, the Iowa Civil Rights Commission is entitled to enforce the prior order. Accordingly, judgment is hereby entered against Defendant as follows:

- In the amount of \$12,604 in favor of Michael Fishnick for lost wages and emotional distress;

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- In the amount of \$33,792.50 in favor of Patricia Kelly for lost wages and emotional distress;
- In the amount of \$38,210.25 in favor of Attorney Robert Sabers for attorney fees.

These judgments shall accrue interest at the rate of 3.53% per annum from the date of this judgment.

Costs are assessed to the Defendant.



State of Iowa Courts

Type: OTHER ORDER

Case Number	Case Title
CVCV109534	IOWA CIVIL RIGHTS V DUBUQUE AERIE #568

So Ordered

A handwritten signature in black ink, appearing to read "Thomas A. Bitter", is written over a horizontal line.

**Thomas A. Bitter, District Court Judge,
First Judicial District of Iowa**